

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ALBERTO ALEJANDRO SOLANO  
CORTEZ,

Plaintiff,

v.

JEFFERSON BEAUREGARD SESSIONS,  
et al.,

Defendants.

Case No. [18-cv-01014-DMR](#)

**ORDER SETTING BRIEFING  
SCHEDULE ON PETITIONER'S  
MOTION FOR TEMPORARY  
RESTRAINING ORDER**

Re: Dkt. No. 2

On February 15, 2018, Petitioner Alberto Solano Cortez filed a petition for writ of habeas corpus seeking either his release from custody by the United States Department of Homeland Security (“DHS”) or an order directing the United States Department of Justice Executive Office for Immigration Review to provide him with an individualized custody hearing. [Docket No. 1 ¶ 1.] On February 16, 2018, Petitioner filed a motion for a temporary restraining order seeking to enjoin his continued detention without a custody hearing until the court decides his habeas petition. Specifically, Petitioner asks the court to order Respondents to either “provide Mr. Solano with a custody hearing at which the government bears the burden of justifying continued [his] detention by clear and convincing evidence” or order him released from custody. [Docket No. 2-1 at ECF p. 18.]

Respondents shall file a response to Petitioner’s motion for a temporary restraining order by **Friday, February 23, 2018**. Any reply is due by **Monday, February 26, 2018**. The court will set a hearing on the motion upon submission of the briefing, if appropriate.

**IT IS SO ORDERED.**

Dated: February 20, 2018



Donna M. Ryu  
United States Magistrate Judge